IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO.287 OF 2006

Shiva Yeshwant Tambe ..Petitioner
Vs.
The State of Maharashtra
and Ors. ..Respondents

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Mr.A.S.Shaikh Advocate for Petitioner
Mr.I.S.Thakur A.P.P. for State

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CORAM: D.G.DESHPANDE AND
SMT.V.K.TAHILRAMANI,JJ.
DATE : MARCH 31, 2006

ORDER ORDER: (PER SMT.V.K.TAHILRAMANI,J):

1. Heard the learned advocate for the Petitioner and learned A.P.P. for the State. Rule. By consent, rule is heard forthwith.

2. The petitioner had preferred application for furlough which came to be rejected on the ground that petitioner has surrendered late when he was released on furlough. It is stated that petitioner has been released five times by the prison authorities and it was only on this occasion that the petitioner overstayed for few days. However, it is an admitted fact that petitioner had himself surrendered to the prison authorities. In this view of the matter, the learned A.P.P. states that

there is no serious objection to the petitioner being released on furlough, however, the petitioner be asked to report to the nearest police station to the address at which the petitioner will stay during the period that he is on furlough. The learned A.P.P. has submitted that this would provide sufficient check on the petitioner while he is on furlough.

4. In this view of the matter, the petitioner be released on furlough on the usual terms and conditions. In addition thereto, the petitioner shall report on every alternate day at the nearest police station to the address at which he will reside during the period that he is on furlough.

5. Petition is disposed of. Rule made absolute in the above terms.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]